

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:20-CV-88-D

MICHAEL WAYNE HILL,

Plaintiff,

v.

BERTIE-MARTIN REGIONAL JAIL,

Defendant.

ORDER

On December 16, 2020, plaintiff, appearing pro se, filed a motion to proceed in forma pauperis [D.E. 1]. Pursuant to 28 U.S.C. § 636(b)(1), this matter is referred to Magistrate Judge Numbers for a memorandum and recommendation on the plaintiff's motion to proceed in forma pauperis [D.E. 1], and for a frivolity review. On March 26, 2021, Judge Numbers issued a Memorandum and Recommendation ("M&R") and recommended that the complaint be dismissed. See [D.E. 6]. Neither party objected to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration, emphasis, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Diamond, 416 F.3d at 315 (quotation omitted). If a party makes only general objections, de novo review is not required. See Wells v. Shriners Hosp., 109 F.3d 198, 200 (4th Cir. 1997). In "order to preserve for

appeal an issue in a magistrate judge's report, a party must object to the finding or recommendation on that issue with sufficient specificity so as reasonably to alert the district court of the true ground for the objection." Martin v. Duffy, 858 F.3d 239, 245 (4th Cir. 2017) (quotation omitted); United States v. Midgette, 478 F.3d 616, 622 (4th Cir. 2007).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. See Diamond, 416 F.3d at 315. Thus, the court adopts the conclusion in the M&R that plaintiff's complaint be dismissed.

In sum, the court ADOPTS the conclusions in the M&R [D.E. 6], GRANTS plaintiff's motion to proceed in forma pauperis [D.E. 1], and DISMISSES plaintiff's complaint.

SO ORDERED. This 22 day of April 2021.



JAMES C. DEVER III
United States District Judge